

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.04.2015

CORAM

THE HONOURABLE MR.JUSTICE D.HARIPARANTHAMAN

W.P.No.13739 of 2015
and M.P.No.1 of 2015

N.Ezilliaraiyan

... Petitioner

Vs.

1. The Director/Commissioner
Department of Agriculture
Marketing and Agri Business,
Guindy, Chennai - 600 032.

2. The Secretary,
Kancheepuram Market Committee,
Kancheepuram - 631 502.

3. K.Saridha

... Respondents

Prayer in both the petitions : Writ Petition has been filed under Article 226 of the Constitution of India praying for the issuance of Writ of Mandamus directing the first respondent to promote the petitioner as Superintendent in the Department as on the crucial date of 01.04.2015.

For Petitioner : Mr.B.Singaravelu

For Respondents : Mr.V.Jeyaprakash Narayanan
Special Govt. Pleader for R1

ORDER

With the consent of both sides, this writ petition is taken up for final disposal.

2. In view of the order to be passed by this Court, no notice need to be served on the third respondent.

3. The petitioner is working as Supervisor in the Department of Agriculture Marketing and Agri Business. The next avenue of promotion is Superintendent. He was imposed with a punishment of stoppage of increment for two years without cumulative effect and the

same came to an end on 31.03.2015 and as on 01.04.2015, there is no other impediment to consider him for promotion to the post of Superintendent in the panel year 2014-15. He made a representation dated 12.03.2015 to the first respondent to consider him and to include his name in the panel and the same is pending as on date.

4. Though the prayer in the writ petition is to direct the first respondent to promote the petitioner as Superintendent in the Department as on the crucial date of 01.04.2015, the learned counsel for the petitioner submitted that the petitioner would be satisfied if a direction is issued to the respondents to consider his representation and pass orders thereon within a time limit fixed by this Court.

5. Considering the limited prayer now made by the learned counsel for the petitioner, without expressing anything on merits, the first respondent is directed to consider the petitioner's representation dated 24.01.2015 and pass orders on merits and in accordance with law within a period of eight weeks from the date of receipt of a copy of this order.

6. This writ petition is disposed of accordingly. No costs. Consequently, connected miscellaneous petition is closed.

Sd/-

Assistant Registrar

//True Copy//

Sub Assistant Registrar

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To

1. The Director/Commissioner
Department of Agriculture
Marketing and Agri Business,
Guindy, Chennai - 600 032.

2. The Secretary,
Kancheepuram Market Committee,
Kancheepuram - 631 502.

1 cc to Government Pleader, Sr.No24834

1 cc to Mr.B.Singaravelu ,Advocate, SR.No.24457

W.P.No.13739 of 2015

tej (co)pmk.21.5.2015